

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS-----X
"JOHN DOE",

Plaintiff,

-against-

EDUCATIONAL INSTITUTE OHOLEI TORAH and
CENTRAL YESHIVA TOMCHEI TMIMIM LUBAVITCH,Defendants.
-----X

Index No. :

SUMMONSPlaintiff designates KINGS
COUNTY as the place of
trialThe basis of this venue is
Defendants' residence at the
time of the commencement
of this action

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after service is complete if this summons is not personally delivered to you with the State of New York); and in case of your failure to appear or answer, judgement will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
November 19, 2019

Respectfully Submitted,

JOSEPH & NORINSBERG, LLC

By: _____
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*Attorneys for Plaintiff*TO: EDUCATIONAL INSTITUTE OHOLEI TORAH
667 Eastern Parkway
Brooklyn, NY, 11213
ATT: Rabbi Joseph Rosenfeld, Executive Director

CENTRAL YESHIVA TOMCHEI TMIMIM LUBAVITCH
841-853 Ocean Parkway
Brooklyn, NY, 11230
ATT: Rabbi Moshe Meir Gluckowsky

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS-----X
"JOHN DOE",

Index No.

Plaintiff,

-against-

COMPLAINT**JURY TRIAL DEMANDED**EDUCATIONAL INSTITUTE OHOLEI TORAH and
CENTRAL YESHIVA TOMCHEI TMIMIM
LUBAVITCH,Defendants.
-----X

Plaintiff "JOHN DOE," by his attorneys, JOSEPH & NORINSBERG, LLC, brings this action against defendants EDUCATIONAL INSTITUTE OHOLEI TORAH and CENTRAL YESHIVA TOMCHEI TMIMIM LUBAVITCH (collectively, "Defendants"), alleging, on personal knowledge as to him, and on information and belief as to all other matters, as follows:

PRELIMINARY STATEMENT

1. This is an action to recover damages arising from Defendants' negligent facilitation of Avrohom Charitonov's ("Charitonov") sexual assaults and sexual molestation of Plaintiff JOHN DOE ("Plaintiff" or "John Doe"), when he was a Yeshiva student at Educational Institute Oholei Torah ("Oholei Torah").

2. Charitonov was Plaintiff's teacher and mentor when he was a minor student at Oholei Torah, in 1987. During the time that Plaintiff was enrolled as a student in Oholei Torah, he resided in Oholei Torah's dormitory, located at 824 Eastern Parkway, Brooklyn, N.Y. (hereinafter, the "Eastern Parkway dormitory"), since his family lived in Boston.

3. Plaintiff relied on Defendants not only to provide him with education and guidance, but also, to protect him and keep him safe, as he was living far away from home. However,

Defendants were grossly negligent, in and allowed Charitonov to molest Plaintiff with impunity, without ever intervening to protect him or to discipline Charitonov.

4. Charitonov used his authority as Plaintiff's teacher to repeatedly sexually molest and abuse Plaintiff, without any repercussions whatsoever.

5. Charitonov – who was in his mid-twenties when he was Plaintiff's teacher – was simultaneously studying at the CENTRAL YESHIVA TOMCHEI TMIMIM LUBAVITCH ("Lubavitcher Yeshiva"). He resided in Lubavitcher Yeshiva's dormitory, located at 1414 President Street, Brooklyn, N.Y. (hereinafter, the "President Street dormitory"), and most of all the abuse took place in this dormitory.

6. Defendants' failure to supervise Charitonov and Charitonov's dormitory, enabled Charitonov to keep Plaintiff in his dormitory room until late at night, to engage in repeated acts of sexual molestation, without fear of reprisal.

7. After Plaintiff's sexual abuse ceased, he lived in a state of confusion, isolation and sadness. As Plaintiff silently struggled to understand his sexual abuse, he suffered from depression, anxiety, and suicidal ideation.

8. Plaintiff now seeks compensatory damages from Defendants, who were legally responsible for Charitonov's actions, and who failed to properly supervise and/or direct Charitonov in his role as a teacher. The Defendants acted with gross negligence in turning a blind-eye to Charitonov's repeated acts of sexual misconduct, and thus permitted Plaintiff to be repeatedly violated and molested by Charitonov.

JURISDICTION AND VENUE

9. This Court has personal jurisdiction over the Defendant pursuant to CPLR §§ 301 and 302, in that the Defendants reside in New York.

10. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

11. Venue for this action is proper in the County of Kings, pursuant to CPLR § 503, in that Defendants reside in the County of Kings, and the acts and omission complained of herein occurred in Kings County.

JURY DEMAND

12. Plaintiff demands a trial by jury on all issues so triable.

CHILD VICTIMS ACT

13. Each of Plaintiff's causes of action is timely pursuant to the Child Victims Act that was enacted on February 14, 2019. Plaintiff alleges that the Defendants committed intentional or negligent acts or omissions which resulted in Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in New York Penal Law § 130. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g.

PARTIES

14. Plaintiff John Doe is an individual currently residing in Rockland County, in the State of New York.

Educational Institute Oholei Torah

15. Upon information and belief, Defendant Educational Institute Oholei Torah ("Oholei Torah") is a non-profit organization existing under the laws of the New York, with a principal place of business located at 667 Eastern Pkwy, Brooklyn, N.Y.

16. At all relevant times, Defendant Oholei Torah managed, supervised, employed,

directed and/or controlled staff, teachers and principals to work at the school, including Charitonov.

17. At all relevant times, staff, teachers and principals, including Charitonov, were agents, managers, directors, or employees of Defendant Oholei Torah.

18. At all times, Defendant Oholei Torah managed and supervised a dormitory, located at 824 Eastern Parkway, Brooklyn, NY, where its out-of-town students resided.

Lubavitcher Yeshiva

19. Upon information and belief, Defendant Central Yeshiva Tomchei Tmimim Lubavitch (“Lubavitcher Yeshiva”) is a non-profit organization existing under the laws of the New York, with a principal place of business located at 841-853 Ocean Parkway, Brooklyn, NY.

20. At all relevant times, Defendant Lubavitcher Yeshiva managed, supervised, and directed its student-teachers, including Charitonov.

21. At all relevant times, Defendant Lubavitcher Yeshiva managed and supervised a dormitory, located at 1414 President Street, Brooklyn, NY, where its out-of-town students resided.

STATEMENT OF FACTS

Oholei Torah And Lubavitcher Yeshiva

22. Oholei Torah is an exemplary educational institution that seeks to offer boys of Chabad-Lubavitch families, ages 3 to 18, a strong and traditional Chassidic education. It has several educational programs to address the needs of various age groups.

23. Oholei Torah does not offer programs leading to the academic degrees authorized by the New York State Board of Regents. Rather, Oholei Torah immerses its students in Talmudic and Chassidic studies and aims to carry forward the chain of Chassidic learning and outreach.

24. Oholei Torah students are expected to behave and to conform to Chasidic practice. The study of Torah, Chassidic philosophy, ethics, and law are not meant to be an abstract or

theoretical exercise at Oholei Torah.

25. After the age of 13 to 14, a boy begins Junior Yeshiva—called *Mesivta*—an intense program for studying Torah and Chassidus.

26. Then, at the age of 16 or 17, a boy begins advanced Yeshiva—called *Zal*—which is extremely intense. In *Zal*, the students study for 12 to 14 hours a day, from 7:00 a.m. to 9:30 p.m. They do not study any secular courses, but instead devote themselves exclusively to studying Torah and Chassidic teachings. Likewise, access to secular materials – books, music, and movies – are banned.

27. The aim of a yeshiva education is not about academic training for college or life, but it is far more complex; it is about immersing oneself totally in the words and teaching of Torah so that the young man becomes elevated, refined and more godly.

28. It is in this environment that Plaintiff met Charitonov, and suffered repeated sexual abuse, without any intervention from Defendants.

Plaintiff Enrolls in Oholei Torah to Begin a New Chapter of His Life

29. Plaintiff joined the *Zal* division of Oholei Torah – the division for advanced studies – on or about 1987, at the age of 17. Since Plaintiff's parents did not live in New York, he was assigned to live in the dormitory located at 841-853 Ocean Parkway, Brooklyn, N.Y.

30. From the start, Plaintiff was lonely and needed guidance. His friend suggested that he confide in their young teacher, Charitonov, who was also viewed as a mentor to the students.

31. At the time, Charitonov was enrolled in Lubavitcher Yeshiva, equivalent to college, and this position was part of his own growth and development as a mentor and role model. Charitonov resided at the President Street dormitory.

32. Plaintiff accepted his friend's advice and approached Charitonov and shyly asked

him for guidance.

33. This was the start of a grossly improper and abusive relationship, in which Charitonov used his role as a teacher and role model to sexually abuse Plaintiff, repeatedly, in Lubavitcher Yeshiva's dormitory, and convince him that this was an "appropriate" part of his training.

34. When Plaintiff first asked Charitonov for mentoring, Charitonov invited Plaintiff to meet after the last class of the day, approximately 9:30 p.m., and walk him to his dormitory.

35. When they reached Charitonov's dormitory, he invited Plaintiff to join him in his bedroom. He told Plaintiff that he should follow his advice and lie down on his bed. Once Plaintiff was lying in the bed, Charitonov proceeded to take off Plaintiff's clothing without his approval. Charitonov then began to hug Plaintiff while he was undressed and as he hugged him, he started taking off his own clothes until he was totally undressed. Charitonov then lay down beside Plaintiff, all the time assuring him that this was normal and that this is the way of dealing with confusion and loneliness. Charitonov soon began to stroke Plaintiff all over his body, and forced him to touch his genitals, and then to keep stroking him until he ejaculated on Plaintiff's stomach. After ejaculating, Charitonov promptly fell asleep. When he awoke after a few minutes, he said that Plaintiff should walk home by himself, even though it was approximately 3:00 a.m.

36. Plaintiff walked back to his dormitory in a daze. No one noticed his late return as the dormitory was unsupervised.

Plaintiff's Repeated Sexual Abuse and Assault

37. Thereafter, Charitonov's sexual abuse escalated. Plaintiff sought guidance and wanted to talk, but each time, Charitonov began coercing him into sexual activity. He began to force Plaintiff to perform oral sex on Charitonov and then Charitonov would forcefully perform

oral sex on Plaintiff. Then, when Charitonov ejaculated, it was usually be on Plaintiff, usually on his stomach.

38. The instances of forced oral sex began to become more and more frequent and always occurred in the President Street dormitory.

39. Upon information and belief, there were no measures of security at the President Street dormitory.

40. Lubavitcher Yeshiva knew, or should have known, of the repeated acts of sexual molestation, since it was taking place at a dormitory under their supervision and control, and Plaintiff would often leave the dormitory at 2:00 or 3:00 a.m.

41. Once the molestation started, Plaintiff felt trapped. He had no way of stopping the abuse. Further, Charitonov made it clear that if Plaintiff disclosed the sexual molestation, Charitonov would retaliate and shame him publicly.

42. Additionally, Charitonov was physically imposing. When Plaintiff showed reluctance, Charitonov used his psychical strength to dominate Plaintiff. He would arm wrestle with the Plaintiff and demonstrate his strength. This caused Plaintiff to fear Charitonov.

Charitonov's Sexual Abuse Intensifies at the Mikva

43. Charitonov's sexual abuse became much more intense and more forceful when he started to take Plaintiff to the mikvah (a ritual bath for males), located at 394 Kingston Avenue, Brooklyn, N.Y. The Mikva was open all night and there was no security there whatsoever.

44. At the Mikva, Charitonov's abuse was brutal. To demonstrate his complete power over Plaintiff, Charitonov rubbed his genitals forcefully on Plaintiff's face and then ejaculated on Plaintiff's face.

45. It was at the mikvah where Charionov started to force Plaintiff's face into his buttocks and force Plaintiff to lick his buttocks and his entire genital area and behind. He would pretend that Plaintiff was enjoying himself but nothing could be further from the truth. Instead, Plaintiff felt disgusted and confused.

46. In the past, immersion in a ritual bath had evoked feelings of cleansing and spirituality for the Plaintiff. However, after his encounters with Charitonov in the Mikva, Plaintiff began to associate the Mikva with terror, humiliation and disgust.

47. Until the present day, the Mikva fills Plaintiff with terror. Charitonov forever robbed Plaintiff of the peace he would feel at the Mikva.

48. In an environment devoted to Chassidic immersion, and the development of a fine and humble character, Defendants turned a blind eye to the most basic need of all – physical safety.

**Plaintiff is Irreparably Harmed by Charitonov's Sexual Abuse
and Defendants' Apathy and Negligence**

49. As a result of Charitonov's repeated acts of sexual assault and the Defendants' deliberate indifference, Plaintiff suffered severe physical, psychological, and emotional injuries, which have affected every aspect of his life.

50. Since 1988, Plaintiff has suffered, and continues to suffer from, inter alia, extreme depression and severe emotional distress, anxiety, guilt, abuse problems, anger management issues, and difficulty in maintaining trusting, loving relationships.

51. Plaintiff has battled severe depression his entire life, and constantly struggles with suicidal ideation.

52. Plaintiff has been treated by numerous psychiatrists and other mental health professionals, and has taken several psychotropic drugs for depression and anxiety, for over 20 years.

53. At the time these sexual assaults took place, Plaintiff was a Lubavitcher student who had a great and promising future ahead of him. Charitonov and the Defendants, who knew or should have known of Charitonov's sexual abuse, robbed Plaintiff of his future, and permanently, irreparably changed the trajectory of his life.

FIRST CAUSE OF ACTION
(Negligent Hiring/Retention/Supervision/Direction)

54. Plaintiff repeats and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

55. Defendants, at all relevant times, OHOLEI TORAH represented or otherwise indicated to the parents, that their minor children would be physically safe while in the presence of the staff, teachers and principals. Defendants entered into an express and/or implied duty that when Plaintiff was a minor and left in the presence of staff, teachers and principals, Plaintiff would be kept safe and that staff, teachers and principals would not sexually abuse Plaintiff.

56. Defendants owed a duty of care to all minor persons, including Plaintiff, who was likely to come in contact with its employees, agents, teachers and principals or were under the supervision of same to ensure that their employees did not use their assigned positions to injure minors by sexual assault, sexual abuse, or sexual contact in violation of the laws of the State of New York, specifically Article 130 of the New York Penal Law.

57. Defendants knew, or should have known, of Charitonov's propensity for the glossy improper conduct prior to the sexual assaults on Plaintiff.

58. The sexual abuse of children by adults, including staff, teachers and principals, is a foreseeable result of negligence.

59. Charitonov sexually assaulted, sexually abused and/or had sexual contact with Plaintiff while working in his capacity as a teacher for Oholei Torah.

60. Defendants negligently recruited, retained, directed, and supervised Charitonov, as they knew, or should have known, that Charitonov posed a threat of sexual abuse to students including Plaintiff herein.

61. Defendants were negligent in failing to properly supervise Charitonov.

62. Defendants were negligent in failing to properly vet Charitonov for his role as a teacher.

63. Defendants were negligent in failing to properly supervise the Eastern Parkway dormitory. Defendant Oholei Torah knew, or should have known, that allowing a dormitory of students to remain completely unsecured and unsupervised, posed a threat to all of the students therein, including but not limited to, Plaintiff.

64. Defendants were negligent in failing to properly supervise the President Street dormitory. Defendant Lubavitcher Yeshiva knew, or should have known, that allowing a dormitory of students to remain completely unsecured and unsupervised, posed a threat to all of the students therein, including but not limited to, Plaintiff.

65. At all times material hereto, Defendants were willful, wanton, malicious, reckless and/or outrageous in their disregard for the rights and safety of Plaintiff, and demonstrated such moral turpitude as to cause substantial harm to the community-at-large as well as Plaintiff, and, as such, Defendants' conduct gives rise to punitive damages.

66. As a direct and proximate result, Plaintiff has suffered and will continue to suffer the injuries described herein.

67. By reason of the foregoing, the Defendants are liable to Plaintiff, for compensatory damages, and punitive damages, together with interest and costs.

SECOND CAUSE OF ACTION
(Negligence/Gross Negligence)

68. Plaintiff repeats and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

69. At all times material hereto, with regard to the allegations contained herein, Charitonov was under the supervision, direction and/or control of Defendants.

70. The Defendants owed Plaintiff, at all relevant times, a high school student, a duty to protect him from Charitonov's sexual deviancy and the consequential damages, both prior to and/or subsequent to the abuser's misconduct.

71. The Defendants knew, or were negligent in not knowing, that Charitonov posed a threat of sexual abuse to the students, including Plaintiff.

72. The acts of Charitonov were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his appointment, assignment, and/or agency with the Defendants as teacher.

73. The Defendants knew, or were negligent in not knowing, that allowing the Eastern Parkway dormitory to remain unsecured and unsupervised, posed a threat of sexual abuse to the students, including Plaintiff.

74. The Defendants knew, or were negligent in not knowing, that allowing the President Street dormitory to remain unsecured and unsupervised, posed a threat of sexual abuse to the students, including Plaintiff.

75. The Defendants' willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

76. The Defendants gave improper or ambiguous orders or failed to make proper

regulations, and/or employed improper persons or instrumentalities in work involving risk of harm to others; failed adequately to supervise the activities of Defendants' employees; permitted, and/or intentionally failed and/or neglected to prevent, negligent and/or grossly negligent conduct and/or allowed other tortious conduct by persons, whether or not their servants and/or agents and/or employees, with instrumentalities under their control; and allowed the acts of omission and/or commission and/or any or all of the allegations set forth in this Complaint, to occur.

77. At all times material hereto, the Defendants' actions and omissions were willful, wanton, malicious, reckless, and outrageous in their disregard for the rights and safety of Plaintiff, and amounted to conduct equivalent to criminality. At all times material hereto, moreover, the Defendants demonstrated such moral turpitude as to cause substantial harm to the community-at-large, as well as to Plaintiff, and, as such, Defendants' conduct gives rise to punitive damages.

78. As a direct and/or indirect result of said conduct, Plaintiff has suffered the injuries and damages described herein.

79. By reason of the foregoing, the Defendants are liable to Plaintiff for compensatory damages, and punitive damages, together with interest and costs.

THIRD CAUSE OF ACTION
(Breach of Non-Delegable Duty)

80. Plaintiff repeats and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

81. Plaintiff, when he was a minor, was placed under the care and supervision of the Defendants for the purposes of, inter alia, providing Plaintiff with a safe environment in which to study and grow. This created a non-delegable duty of trust between Plaintiff and the Defendants.

82. Plaintiff was a minor when placed within the care of the Defendants.

83. As a consequence, Defendants were in the best position to prevent the sexual abuse

of Plaintiff, to learn of that sexual abuse of Plaintiff and stop it, and to take prompt steps to ensure that Plaintiff received timely therapy to address the harm he suffered resulting from their sexual abuse. Such prompt steps would have mitigated the extent of lifetime suffering Plaintiff has endured. However, this never occurred. Instead, Defendants protected Charitonov and turned a blind-eye to his misconduct, and did not engage in any remedial action.

84. Defendants allowed Charitonov free access to Plaintiff, with no oversight whatsoever.

85. Defendants allowed Charitonov to take Plaintiff back to his dormitory room, at all hours of the night, without any oversight, although they knew, or should have known, that this posed a threat to Plaintiff.

86. As a direct result of said conduct, Plaintiff has suffered the severe emotionally and psychological injuries described herein.

87. By reason of the foregoing, Defendants are liable to Plaintiff for compensatory damages, and punitive damages, together with interest and costs.

FOURTH CAUSE OF ACTION
(Breach of Fiduciary Duty)

88. Plaintiff repeats and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

89. While he was a minor, Plaintiff was entrusted by his parents to the supervision of the Defendants. During the times that Plaintiff was entrusted to the care of Defendants, Charitonov was under the supervision and control of the Defendants.

90. There existed a fiduciary relationship of trust, confidence, and reliance between Plaintiff and the Defendants. This relationship was based on the entrustment of the Plaintiff while he was a minor to the care and supervision of the Defendants. This entrustment of the Plaintiff to

the care and supervision of the Defendants, while the Plaintiff was a minor, required Defendants to assume a fiduciary relationship and to act in the best interests of the Plaintiff and to protect his safety, due to his infancy and vulnerability.

91. Pursuant to their fiduciary relationship, Defendants were entrusted with the well-being, care, and safety of Plaintiff.

92. Pursuant to their fiduciary relationship, the Defendants assumed a duty to act in the best interests of Plaintiff.

93. The Defendants breached their fiduciary duties to Plaintiff.

94. The Defendants knew, or should have known, that Charitonov posed a threat of sexual abuse to the students, including Plaintiff.

95. The Defendants knew, or should have known, that allowing the Eastern Parkway dormitory to remain unsecured and unsupervised posed a threat of sexual abuse to the students, including Plaintiff.

96. The Defendants knew, or should have known, that allowing the President Street dormitory to remain unsecured and unsupervised posed a threat of sexual abuse to the students, including Plaintiff.

97. At all times material hereto, the Defendants were willful, wanton, malicious, reckless and/or outrageous in their disregard for the rights and safety of Plaintiff, and demonstrated such moral turpitude as to cause substantial harm to the community-at-large, as well as to Plaintiff, and, as such, Defendants' conduct gives rise to punitive damages.

98. As a direct result of said conduct, Plaintiff has suffered injuries and damages described herein.

99. By reason of the foregoing, Defendants are liable to Plaintiff for compensatory

damages, and punitive damages, together with interest and costs.

FIFTH CAUSE OF ACTION
(Negligent Infliction of Emotional Distress)

100. Plaintiff repeat and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

101. As described above, the actions of the Defendants, their predecessors and/or successors, agents, servants and/or employees were conducted in a negligent and/or grossly negligent manner.

102. The Defendants' actions endangered Plaintiff's safety and caused him to fear for his own safety.

103. As a direct and proximate result of the Defendants' actions and/or inactions, which included but were not limited to, negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein; including but not limited to, severe mental and emotional distress, which continue to afflict him to this day.

104. By reason of the foregoing, the Defendants are liable to Plaintiff, for compensatory damages, and punitive damages, together with interest and costs.

SIXTH CAUSE OF ACTION
(Breach of Duty *in Loco Parentis*)

105. Plaintiff repeats and realleges each and every allegation set forth in the above paragraphs as if fully set forth herein.

106. While he was a minor, Plaintiff was entrusted by his parents to the control and supervision of Defendants. During the times that Plaintiff was entrusted to the Defendants, Charitonov was under the supervision and control of the Defendants. The Defendants owed a duty to the students entrusted to them, including Plaintiff to act *in loco parentis* and to prevent

foreseeable injuries.

107. The Defendants repeatedly and flagrantly breached their duty to act *in loco parentis*.

108. At all times material hereto, Defendants were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of Plaintiff, and demonstrated such moral turpitude as to cause substantial harm to the community-at-large, including Plaintiff, and, as such, their conduct gives rise to punitive damages.

109. As a direct result of the Defendants' conduct, Plaintiff has suffered severe, permanent and irreparable injuries and damages described herein, and continues to suffer from such damages to this day.

110. By reason of the foregoing, Defendants are liable to Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

WHEREFORE, Plaintiff John Doe hereby demands judgment against the Defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction over this matter;
- B. Awarding punitive damages to the extent permitted by law;
- C. Awarding costs and fees of this action, including attorneys' fees to the extent permitted by law;
- D. Awarding prejudgment interest to the extent permitted by law; and
- E. Awarding such other and further relief as to this Court may seem just and proper.

Dated: New York, New York
November 19, 2019

Respectfully Submitted,

JOSEPH & NORINSBERG, LLC

By:  _____

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